

REMARKS/ARGUMENTS

These remarks are responsive to the final Office Action of August 22, 2006, and further to the Amendment After Final Rejection filed on October 23, 2006 and the Notice of Appeal filed on November 22, 2006. No claims have been amended, claims 1-11, 19-40, 42-49, 51-56, 59-70, and 72-73 have been canceled without prejudice or disclaimer, and new claims 79-128 have been added. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

As noted above, Applicants have canceled all previous claims without prejudice or disclaimer by this Amendment. This action should not be construed as an admission that Applicants agree with or concur in any objection or rejection raised by the Office in the August 22, 2006, Office Action. Applicants take this action solely for the purpose of expediting prosecution and facilitating allowance of this application. Applicants reserve all rights with respect to the original and/or canceled claims, including the right to pursue claims of the same or similar scope, *e.g.*, in a continuing application.

Rejections Under 35 U.S.C. § 103

Claims 1-11, 19-40, 42-49, 51-56, 59-70, and 72-73 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Appl. Publ. No. US 2003/0225796 A1 to Matsubara (*Matsubara*) in view of U.S. Patent Appl. Publ. No. US 2004/0103280 A1 to Balfanz et al. (*Balfanz*). As noted above, Applicants have canceled 1-11, 19-40, 42-49, 51-56, 59-70, and 72-73, without prejudice or disclaimer, thereby rendering these rejections moot. However, *Matsubara* and *Balfanz* are discussed below in reference to the newly added claims 79-128.

New Claims

Applicants have added new claims 79-128 to clarify and more fully claim their invention. Preliminarily, Applicants note that independent claims 79, 91, 103, and 116 each relate to a method of “sharing virtual folder items stored in a file system of an operating system.” In contrast, neither *Matsubara* nor *Balfanz* relates to sharing items in a single operating system or a single file system. Both *Matsubara* and *Balfanz* are concerned with sharing files between multiple computers across a computer network, and both systems simply assume that the necessary steps for

sharing the files at the operating system level have already been performed. Accordingly, Applicants submit that new claims 79-128 are allowable over the proposed combination of *Matsubara* and *Balfanz* for at least this reason, as well as based on the additional features recited in these claims.

Independent claim 79 recites, “displaying via the operating system a data object corresponding to a virtual folder comprising one or more of the items stored in the file system.” As discussed above, the files shared by the systems of *Matsubara* and *Balfanz* are not stored in a single file system, but are distributed over different computers in a computer network.

Independent claim 79 further recites setting permissions on the shared items, “wherein setting permissions comprises setting an operating system permission property on each of the one or more shared virtual folder items.” In *Matsubara*, files are shared by updating a virtual directory maintained at a system server, not by setting an operating system permission property. (*Matsubara*, paragraph [0011]) *Matsubara*’s only reference to operating system permissions is acknowledging that an attempted download of a file will be rejected if the access control list of the selected file indicates that the user does not have permission for the requested download. (*Matsubara*, paragraphs [0063] and [0067]) Thus, *Matsubara* does not disclose “setting an operating system permission property,” as recited in claim 79.

In *Balfanz*, files are shared by maintaining a list of authorized group members at each machine in the sharing system. Once again, *Balfanz* assumes that the necessary operating system level permissions have already been set to allow for the file sharing. Thus, *Balfanz* also fails to disclose “setting operating system permissions” for the shared files, as recited in claim 79. Accordingly, Applicants submit that independent claim 79 is allowable over the proposed combination of *Matsubara* and *Balfanz*. Claim 91 recites a computer readable media storing computer-executable instructions for performing the same method recited in claim 79, and is therefore allowable for the same reasons as claim 79. Claims 80-90 and 92-102 depend respectively from claims 79 and 91 and are allowable for the same reasons, as well as based on the additional features recited therein.

Similarly, independent claims 103 and 116 recite, “in response to the sharing request, setting by the operating system user-access permissions on the one or more shared virtual folder items in the file system.” As discussed above, neither *Matsubara* nor *Balfanz* disclose setting

user-access permissions on the shared items by the operating system. Accordingly, independent claims 103 and 116 are also allowable over the proposed combination of *Matsubara* and *Balfanz*. Claims 104-115 and 117-128 depend respectively from claims 103 and 116 and are allowable for the same reasons, as well as based on the additional features recited therein.

For example, claims 106 and 119 recite, “granting a sharee access to a first item stored in a first physical folder in the file system, wherein the sharee is not granted access to a second item in the first physical folder that is not in the virtual folder.” In *Balfanz* and *Matsubara*, like other conventional P2P sharing systems, files are shared out to other computers based on their placement into designated sharing folders, rather than by setting user-access permissions on the individual files. Thus, *Matsubara* and *Balfanz* do not disclose “granting a sharee access to a first item stored in a first physical folder in the file system, wherein the sharee is not granted access to a second item in the first physical folder that is not in the virtual folder,” as recited in claims 106 and 119.

Additionally, Applicants submit that claims 81-82, 93-94, 108-109, and 121-122, are allowable over the proposed combination of *Matsubara* and *Balfanz* for the reasons discussed in the Amendment dated October 23, 2006, in reference to canceled claims 3 and 4. Namely, neither *Matsubara* nor *Balfanz* teaches or suggests verifying that an operating system file share exists or setting permissions on an operating system file share so as to allow sharees to access the shared virtual folder items.

Additionally, Applicants submit that claims 84, 96, 110, and 123, are allowable over the proposed combination of *Matsubara* and *Balfanz* for the reasons discussed in the Amendment dated October 23, 2006, in reference to canceled claim 7. Namely, neither *Matsubara* nor *Balfanz* teaches or suggests verifying that a firewall on the operating system will allow the sharees to access the shared virtual folder items.

Additionally, Applicants submit that claims 86, 98, 112, and 125, are allowable over the proposed combination of *Matsubara* and *Balfanz* for the reasons discussed in the Amendment dated October 23, 2006, in reference to canceled claims 9, 23, 30, 39, and 48. Namely, neither *Matsubara* nor *Balfanz* teaches or suggests sending a link to a sharee that allows the sharee to access the shared virtual folder items from a remote computer.

Additionally, Applicants submit that claims 90, 102, 116, and 129, are allowable over the proposed combination of *Matsubara* and *Balfanz* for the reasons discussed in the Amendment dated October 23, 2006, in reference to canceled claims 56, 60, 62, 64, and 66. Namely, neither *Matsubara* nor *Balfanz* teaches or suggests sharing a non-folder non-file item.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

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